

or other identifier and, if known, the location of the telephone line or other facility to which the pen register or trap and trace device is to be attached or applied, and, in the case of an order authorizing installation and use of a trap and trace device under subsection (a)(2), the geographic limits of the order; and".

(3) **NONDISCLOSURE REQUIREMENTS.**—Subsection (d)(2) of that section is amended—

(A) by inserting "or other facility" after "the line"; and

(B) by striking ", or who has been ordered by the court" and inserting "or applied, or who is obligated by the order".

(c) **EMERGENCY INSTALLATION.**—

(1) **AUTHORITY FOR UNITED STATES ATTORNEYS.**—Section 3125(a) of that title is amended in the matter preceding paragraph (1) by striking "or any Deputy Assistant Attorney General," and inserting "any Deputy Assistant Attorney General, or any United States Attorney,".

(2) **EXPANSION OF EMERGENCY CIRCUMSTANCES.**—Section 3125(a)(1) of that title is amended—

(A) in subparagraph (A), by striking "or" at the end;

(B) in subparagraph (B), by striking the comma at the end and inserting a semicolon; and

(C) by inserting after subparagraph (B) the following new subparagraphs:

"(C) immediate threat to the national security interests of the United States;

"(D) immediate threat to public health or safety; or

"(E) an attack on the integrity or availability of a protected computer which attack would be an offense punishable under section 1030(c)(2)(C) of this title,".

(d) **DEFINITIONS.**—

(1) **COURT OF COMPETENT JURISDICTION.**—Paragraph (2) of section 3127 of that title is amended by striking subparagraph (A) and inserting the following new subparagraph (A):

"(A) any district court of the United States (including a magistrate judge of such a court) or any United States Court of Appeals having jurisdiction over the offense being investigated; or".

(2) **PEN REGISTER.**—Paragraph (3) of that section is amended—

(A) by striking "electronic or other impulses" and all that follows through "is attached" and inserting "dialing, routing, addressing, or signalling information transmitted by an instrument or facility from which a wire or electronic communication is transmitted"; and

(B) by inserting "or process" after "device" each place it appears.

(3) **TRAP AND TRACE DEVICE.**—Paragraph (4) of that section is amended—

(A) by inserting "or process" after "a device"; and

(B) by striking "of an instrument" and all that follows through the end and inserting "or other dialing, routing, addressing, and signalling information relevant to identifying the source of a wire or electronic communication;".

SEC. 833. AUTHORITY TO INTERCEPT WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS RELATING TO TERRORISM OFFENSES.

Section 2516(1) of title 18, United States Code, is amended—

(1) by redesignating paragraph (p), as so redesignated by section 434(2) of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132; 110 Stat. 1274), as paragraph (r); and

(2) by inserting after paragraph (p) as so redesignated by section 201(3) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-565), the following new paragraph:

"(q) any criminal violation of sections 2332, 2332a, 2332b, 2332d, 2339A, or 2339B of this title (relating to terrorism); or".

SEC. 834. AUTHORITY TO INTERCEPT WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS RELATING TO COMPUTER FRAUD AND ABUSE.

Section 2516(1)(c) of title 18, United States Code, is amended by striking "and section 1341 (relating to mail fraud)," and inserting "section 1341 (relating to mail fraud), a felony violation of section 1030 (relating to computer fraud and abuse),".

This Act may be cited as the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002."

ORDER OF BUSINESS

Mr. DASCHLE. Mr. President, for the interest of all Senators, we are attempting to propound a unanimous consent request having to do with the schedule for next week. We have not been able to get complete agreement on either side at this point, but it should not be too much longer. It would be my desire, once we get that unanimous consent, to go out for the day.

Just as soon as that occurs, we will then be prepared to take final action for the day.

Until that time, I have a couple of remarks in regard to the important legislation that passed this morning.

USE OF FORCE TO DEFEND AMERICA AGAINST TERRORIST ATTACKS

Mr. DASCHLE. Mr. President, we are now learning that the terrorists who attacked our Nation this week may have been planning their hideous crimes for years.

In their evil and painstaking calculations, the terrorists clearly tried to anticipate every possible obstacle they might encounter.

But there is one obstacle they overlooked; that is, the courage of the American people, and our fierce determination to defend the people and values we cherish.

It was that courage and determination that appears to have given the passengers aboard the plane that crashed near Pittsburgh the strength to resist their murderers and prevent an even greater tragedy.

It is that same courage and determination that is at the heart of this resolution we pass today.

Tuesday, from the window of my office in the Capitol, I watched thick black smoke rise from the Pentagon and fill the sky over Arlington Cemetery.

The graves in that hallowed ground remind us that Americans have faced great evil before and defeated it.

By passing this resolution, we are saying we are prepared to confront evil again and to defeat it again.

We are saying that the Congress of the United States—Democrats and Republicans stand with the President as our Commander in Chief.

We are authorizing the President to use force against the terrorists who at-

tacked America on September 11, and any nation, organization, or person that aids or harbors them.

As a result of our actions today, we know that our men and women in uniform may be forced to confront a new kind of enemy—an enemy whose actions are constrained neither by conscience, nor the rules of war.

We also know that whatever they are called to do, they will do it well and with honor. And we know this: They will prevail.

This is the gravest responsibility we can undertake as elected leaders.

That is why our Constitution calls on the President and the Congress to act together on decisions to employ our armed forces to defend our Nation.

By passing this resolution, we reaffirm our belief in our Constitution as the foundation and strength of our democracy.

By providing specific statutory authorization and by requiring continuing consultation between the President and the Congress, we also underscore the importance of the War Powers Resolution. Only by standing together, can we stand strong and defeat this threat.

As I have said before, what happened on Tuesday was not simply an attack against America. It was a crime against democracy, and decency. It was a crime against civilization itself.

Americans have been deeply touched this week by the support we have received from friends throughout the world. From the gates of Buckingham Palace, to the halls of the United Nations and NATO, to the streets of Moscow and beyond, the grief displayed by our friends has helped to make our own grief more bearable.

We thank the family of nations for standing with us in these early days of this battle against terrorism. Even more, we thank them for their commitment to stand with us in the days ahead.

I am confident we will continue to stand together, and defeat this most insidious of threats, wherever and whenever it arises.

We will be fierce in the defense of our ideals. We will make whatever material or physical sacrifice that is required of us to punish those who attacked our nation, and to prevent future attacks.

But we will not sacrifice the ideals that built this nation and have sustained us for more than two centuries.

Just as we are united against the terrorists and their co-conspirators who carried out the attacks on our nation, we must also be united against acts of hate against innocent Arab-Americans and Muslims.

The madmen who carried out these crimes despise our values of liberty and justice for all.

By maintaining our commitment to those ideals now, we send a powerful message to those who committed this evil that they have not won, and they will not win this war. They have broken our hearts, but not our will.